ESTTA Tracking number:

ESTTA385358 12/22/2010

Filing date:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051847	
Party	Defendant Baney Corporation	
Correspondence Address	Susan Daly Stearns Susan Daly Stearns LLC P.O. Box 215 Bend, OR 97709 UNITED STATES info@stearnstmlaw.com	
Submission	Voluntary Surrender Of Registration	
Filer's Name	Susan Daly Stearns	
Filer's e-mail	info@stearnstmlaw.com, reilly@iplawdenver.com	
Signature	/Susan Daly Stearns/	
Date	12/22/2010	
Attachments	Request to Surrender Registration 3600199.pdf ( 2 pages )(34568 bytes )	

#### **EXHIBIT A**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Trademarks: OXFORD SUITES		
OXFORD INN & SUI	TES	
OXFORD HOTELS		
OXFORD 2005 HOLDINGS, LLC	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92051847
	)	Registration Nos. 3076619, 3076626 and
BANEY CORPORATION	)	3600199
	)	
Registrant.	)	
-		

# REQUEST TO SURRENDER REGISTRATION PURUSANT TO SECTION 7 OF THE TRADEMARK ACT

Pursuant to a certain Settlement and Co-Existence Agreement executed between the parties in settlement of Cancellation proceeding No. 92051847, Registrant, Baney Corporation by and through its attorney, hereby surrenders its registration number 3600199 dated March 31, 2009, for the mark OXFORD HOTELS.

Dated: December 22, 2010 Respectfully submitted,

Sun Daly Swans

By:

Susan Daly Stearns, Esq. Susan Daly Stearns, LLC

P.O. Box 215 Bend, OR 97709

Tel: (541) 306-6753 Fax: (888) 746-4621 Attorney for Registrant

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and complete copy of the Answer to the Petition for Cancellation was served on opposing counsel by depositing such copy with United States Postal Service on December 22, 2010 by first class postage prepaid mail addressed to:

Ellen Reilly The Reilly Intellectual Property Law Firm, P.C. 1325 East 16<sup>th</sup> Avenue Denver, CO 80218

Susan Daly Stearns

Attorney for Registrant

Dated: December 22, 2010

Sun Daly Steams

Bend, OR